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1271 Avenue of the Americas | New York, NY 10020
blankrome.com

Phone: (212) 885-5270
Fax: (917) 332-3795
Email: Thomas.belknap@blankrome.com

May 2, 2024

VIA ECF

United States District Court
District of Maryland (Baltimore)
101 West Lombard Street
Baltimore, MD 21201
Attention: Chief Judge James K. Bredar

Re: 1:24-cv-00941-JKB (D. Md)

*In the Matter of the Petition of Grace Ocean Private Limited et al for
Exoneration from or Limitation of Liability*

Dear Judge Bredar:

Our firm, along with co-counsel Rob Hopkins of Duane Morris, represents Grace Ocean Private Limited and Synergy Marine Pte, Ltd, Petitioners in the above-captioned action. We write regarding the “Answer due by” deadlines included on the docket in respect of the Claims filed by the City of Baltimore and by American Publishing LLC *et al.*, Docket Nos. 17 and 21 respectively.

By way of background, Petitioner filed its Petition seeking exoneration or, alternatively, limitation of liability on April 1, 2024. (Dkt. No. 1). Rule F(5) of the Supplemental Rules for Admiralty and Maritime Claims provides as follows:

(5) Claims and Answer. Claims shall be filed and served on or before the date specified in the notice provided for in subdivision (4) of this rule. Each claim shall specify the facts upon which the claimant relies in support of the claim, the items thereof, and the dates on which the same accrued. If a claimant desires to contest either the right to exoneration from or the right to limitation of

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liability the claimant shall file and serve an answer to the complaint unless the claim has included an answer.

Rule F does not provide for a responsive pleading by Petitioner to claims or answers filed by claimants in such an action. *See Fed. R. Civ. P., Supp. R. F.* As provided in Fed. R. Civ. P. 12 (b):

If a pleading sets out a claim for relief that does not require a responsive pleading, an opposing party may assert at trial any defense to that claim. No defense or objection is waived by joining it with one or more other defenses or objections in a responsive pleading or in a motion.

It therefore is our understanding that Petitioners in this action are not required to file an answer to Docket Nos. 17 and 21, or any other claims that may be filed in this action. *See In re Felgate*, 2020 WL 1542372, at *9-10 (D. Conn. Mar. 30, 2020)(holding that Petitioners in a Limitation Action did not forfeit their affirmative defenses because “Supplemental Rule F does not require petitioners file an answer to the claims and answers.”)(copy attached).

In view of the foregoing, Petitioner respectfully requests that the Court direct the Clerk to remove the answer deadlines set in respect of the claims filed at Docket Nos. 17 and 21 and to omit any answering deadline for new claims to the Petition for Exoneration from or Limitation of Liability going forward. This would not apply to answering any counterclaims, cross-claims or third-party complaints, in the event any are filed.

We appreciate your attention to this matter.

Very truly yours,

/s/ *Thomas H. Belknap, Jr.*
Thomas H. Belknap, Jr.

Cc: all counsel via ECF